

REMARKS

Claims 9 and 25-26 are pending in this case. Claims 1-8 and 10-24 have been cancelled.
Claim 25 has been amended.

Specification

The Examiner objected to the specification at page 18 for use of embedded hyperlinks and/or other forms of browser-executable code. Applicant has amended the specification to delete such references at page 18, line 5 and page 30, lines 17 and 19.

Double patenting

The Examiner provisionally rejected claims 9, 25 and 26 on the ground of nonstatutory obviousness-type double patenting over claim 5 of copending application publication No. US 2006/0073129. The applicant respectfully traverses this rejection. Claim 5 of US2006/0073129 recites:

5. A purified siRNA sequence of SEQ ID. No. 3.

SEQ. ID No. 3 is:

GATCCCCGGATTTCAGCTTCTCCTAAATTCAAGAGATTTAGGAGAAGCTGAATCC
TTTTTGGAAA

Applicant does not see how SEQ ID. No. 3 is fully embraced and encompassed within the scope of the instantly claims 9, 25 and 26 directed to SEQ. ID No. 3 of the instant application:

IKK α _3 Inverted
Sense siRNA: 5'-GUCUGUGUAUCACGUGACG**dTdT**-3'
Antisense siRNA: 5'-CGUCACGUGAUACACAGA**dTdT**-3'

Applicant respectfully requests that the ground for rejection be withdrawn by the Examiner.

35 U.S.C §112

The Examiner rejected claim 25 under 35 USC §112 second paragraph as being indefinite because of the use of the term "substantially purified." Accordingly, the Examiner has

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amended claim 25 by deleting the term “substantially purified” and inserting the term “synthetically made.” Support for this amendment can be found at page 16, lines 14-21 and page 22, line 1-21.

The Examiner rejected claim 25 under 35 USC §112, first paragraph as failing to comply with the written description requirement because of the use of the term “substantially purified” as it relates to the IKKalpha protein. As stated above applicant has amended the claim to remove the term in question.

Applicant hereby authorizes payment for a one month extension of time. However, if any additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. §1.136(a) and any fees required therefore are hereby authorized to be charged to our Deposit Account No. 02-2955. It is not believed that any other fees are required.

If any points remain at issue which can best be resolved by way of a telephonic or personal interview, the Examiner is kindly requested to contact the undersigned attorney at the local telephone number listed below.

Respectfully submitted,

/David Dow/
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